

Remarks/Arguments

The present continuing application is filed concurrently with this amendment after applicants' attorney filed Notice of Appeal dated 23 December 2003 in the parent case. That appeal is hereby withdrawn.

Applicants' attorney gratefully acknowledges the telephone interview with Examiner Julie Smith on 19 February 2004. In the interview, it was clarified that the Response to Final Rejection dated 20 November 2003 was entered (however, claims were not amended in that Response). Applicants' attorney also indicated that he would file a continuation in the case and amend the claims to positively claim the structural relationship with the implement frame.

Independent claims 1 and 11 as currently amended claim the structural relationship with the implement frame.

Independent claims 1 and 11 stand rejected over Lewallen (6,313,221) in view of Evans (2,082,944).

Claim 1 is directed to an implement lift structure with a rockshaft bearing block structure for an implement lift system, whereas the Evans reference is directed to a connecting rod bearing structure. Lewallen shows a bearing for the hinge pivot pin on a flexible implement (not a rockshaft bearing block structure). Lewallen actually teaches away from the claimed first and second bearing block sections and the inserts around a rockshaft; note that the bearing sleeve 35 of Lewallen is welded. Even if arguably the teachings of a remote art such as connecting rod bearings could be fairly applied in the present situation (this is not admitted), there is no motivation to modify the hinge pivot pin structure of Lewallen with the teachings of Evans. Lewallen can simply remove a pin. Applicant cannot simply remove a rockshaft from an implement lift system. The references fail to suggest either applicant's problem or applicant's unique solution to the problem.

Lewallen with Evans simply fails to show or suggest the bearing block structure with bearing blocks and inserts in an implement lift structure including a rockshaft, as set forth in claim 1. It would not be obvious to substitute components wherein inventive connections with other components are required or the motivation to make such a substitution is lacking from a fair reading of the references and what the references teach.

Therefore, claim 1 as presented, and claims 2 - 8 and 10 dependent therefrom, are believed to be in order for allowance.

Claim 11 sets forth an agricultural implement lift structure with first and second bearing block inserts having outer surfaces complimentary to the first and second cavities in bearing block structure. The bearing block inserts include inner surfaces defining a substantially cylindrical rockshaft bearing wear area when the inserts are supported in the cavity. Connector structure facilitates placement of the bearing block inserts in the cavities without need to dismount the implement lift structure from the implement frame.

As pointed out above, Lewallen shows a bearing for a hinge pivot pin and actually teaches away from the claimed first and second bearing block sections and the first and second inserts around a rockshaft defining a cylindrical rockshaft bearing wear area. The bearing sleeve 35 of Lewallen is welded, and the pin 57 is removable to replace the one-piece flanged bearing 38. There is no motivation to modify the hinge pivot pin structure of Lewallen with the teachings of Evans to provide a bearing structure as set forth in claim 11. Lewallen can simply remove a pin. Further, it is believed that the references cannot be properly combined if the effect, as here, would be to destroy the invention (i.e., the pivot pin through an inner flanged bearing sleeve of Lewallen).

Therefore, claim 11 and claims 12 - 17 dependent therefrom are believed to be in order for allowance.

Novoselsky 6,100,809 in any combination with the remaining references, fails to show the structure of claim 15 with anti-rotation structure adapted for support between the bearing block sections within the cavities. The anti-rotation structure has an edge defining an insert wear warning device providing an audible signal when the inserts wear to a preselected level. The simple arrangement in an agricultural implement lift structure as set forth in claim 11 is believed to not be shown or suggested by the references, including Lewallen, Evans and Novoselsky (showing a complicated electronic arrangement for an aircraft generator). Therefore, claim 15 is believed to be clearly allowable over the references.

It is applicant's contention that a fair reading of the prior art, without the impermissible use of hindsight after viewing applicant's invention, does not teach the novel combination of structure set forth in the claims, nor is the claimed structure an obvious modification or combination of the prior art.

In conclusion, it is believed that this application is in condition for allowance, and such allowance is respectfully requested.